

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

Claim 1. (Currently Amended): An appetite suppressing agent composition which comprises, as an active ingredient, a mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19.

Claims 2-8. (Canceled)

Claim 9. (Currently Amended): Food ~~and~~ or drink composition for at least one of suppression of appetite, promotion of basal metabolism, improvement ~~and/or prevention~~ of obesity, suppression of excessive appetite ~~and/or or~~ enhancement of ~~the~~ effect of kinesitherapy, which comprises, as an active ingredient, a mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19.

Claims 10-17. (Canceled)

Claim 18. (New) A method of suppressing appetite in a mammal, comprising administering to a mammal an appetite suppressing effective amount of an appetite suppressing composition which comprises, as an active ingredient, a mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19.

Claim 19. (New) The method according to claim 18, wherein the mammal is a human.

Claim 20. (New) The method according to claim 18, further comprising kinesitherapy.

Claim 21. (New) The method according to claim 18, wherein the lactic acid that is a repeating unit in the poly lactic acid consists substantially of L-lactic acid.

Claim 22. (New) The method according to claim 18, wherein the mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19 is a fraction obtained by condensing lactic acids by dehydration under an inactive atmosphere, subjecting the ethanol- and methanol-soluble fractions of the obtained reaction solution to reverse phase column chromatography, and eluting with 25 to 50 weight % acetonitrile aqueous solution of pH 2 to 3 and then with 90 weight % or more acetonitrile aqueous solution of pH 2 to 3.

Claim 23. (New) The method according to claim 22, wherein condensation by dehydration is performed by stepwise decompression and temperature rise under nitrogen gas atmosphere.

Claim 24. (New) The method according to claim 22, wherein reverse phase column chromatography is performed by ODS column chromatography.

Claim 25. (New) A method of promoting basal metabolism in a mammal, comprising administering to the mammal a basal metabolism promoting effective amount of a basal metabolism promoting composition which comprises, as an active ingredient, a mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19.

Claim 26. (New) The method according to claim 25, wherein the mammal is a human.

Claim 27. (New) The method according to claim 25, further comprising kinesitherapy.

Claim 28. (New) The method according to claim 25, wherein the lactic acid that is a repeating unit in the poly lactic acid consists substantially of L-lactic acid.

Claim 29. (New) The method according to claim 25, wherein the mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19 is a fraction obtained by condensing lactic acids by dehydration under an inactive atmosphere, subjecting the ethanol- and methanol-soluble fractions of the obtained reaction solution to reverse phase column chromatography, and eluting with 25 to 50 weight % acetonitrile aqueous solution of pH 2 to 3 and then with 90 weight % or more acetonitrile aqueous solution of pH 2 to 3.

Claim 30. (New) The method according to claim 29, wherein condensation by dehydration is performed by stepwise decompression and temperature rise under nitrogen gas atmosphere.

Claim 31. (New) The method according to claim 29, wherein reverse phase column chromatography is performed by ODS column chromatography.

Claim 32. (New) A method of suppression of excessive appetite or improving obesity in a mammal, comprising administering to the mammal an effective amount of a composition which comprises, as an active ingredient, a mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19 to suppress excessive appetite or improve obesity.

Claim 33. (New) The method according to claim 32, wherein the mammal is a human.

Claim 34. (New) The method according to claim 32, further comprising kinesitherapy.

Claim 35. (New) The method according to claim 32, wherein the lactic acid that is a repeating unit in the poly lactic acid consists substantially of L-lactic acid.

Claim 36. (New) The method according to claim 32, wherein the mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19 is a fraction obtained by condensing lactic acids by dehydration under an inactive atmosphere, subjecting the ethanol- and methanol-soluble fractions of the obtained reaction solution to reverse phase column chromatography, and eluting with 25 to 50 weight % acetonitrile aqueous solution of pH 2 to 3 and then with 90 weight % or more acetonitrile aqueous solution of pH 2 to 3.

Claim 37. (New) The method according to claim 36, wherein condensation by dehydration is performed by stepwise decompression and temperature rise under nitrogen gas atmosphere.

Claim 38. (New) The method according to claim 36, wherein reverse phase column chromatography is performed by ODS column chromatography.

Claim 39. (New) The food or drink composition according to claim 9, wherein the lactic acid that is a repeating unit in the poly lactic acid consists substantially of L-lactic acid.

Claim 40. (New) The food or drink composition according to claim 9, wherein the mixture of cyclic and/or straight chain poly lactic acids having a condensation degree of 3 to 19 is a fraction obtained by condensing lactic acids by dehydration under an inactive atmosphere, subjecting the ethanol and methanol-soluble fractions of the obtained reaction solution to reverse phase column chromatography, and eluting with 25 to 50 weight % acetonitrile aqueous solution of pH 2 to 3 and then with 90 weight % or more acetonitrile aqueous solution of pH 2 to 3.